



Response under 37 CFR 1.116

PTO/SB/21 (02-04)

Expedited procedure

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Examiner Group 1635

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/532,001

Filing Date

03/21/2000

First Named Inventor

Thomas J. Goodwin

Art Unit

1635

Examiner Name

K. A. Lacourciere

Attorney Docket Number

MSC-22859-2-CU

comes. and Mail

BOX AF

ENCLOSURES (Check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Return Postcard Receipt |
| Remarks Amendment After Final Action (37 C.F.R Section 1.116) | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or Individual name | NASA Johnson Space Center James M. Cate |
| Signature | <i>James M. Cate</i> |
| Date | |

RECEIVED
JUN 24 2004
OIF/E / JCWS

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | |
|-----------------------|----------------------|------|
| Typed or printed name | James M. Cate | |
| Signature | <i>James M. Cate</i> | Date |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



National
Aeronautics and
Space
Administration

**Response under 37 CFR 1.116
Expedited procedure
Examining Group 1635**

Patent Application
MSC-22859-2-CU
(NASA Case No.)

Letter Transmitting Patent Amendment

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Sir:

Transmitted herewith is an amendment as identified below:

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope address to MS AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 6-18-2004

James M. Cate
James M. Cate

Serial No.: 09/532,001 Confirmation No.: 7201 Filed: 03/21/2000

Examiner: K. A. Lacourciere Group Art Unit: 1635
Entitled: Production Of Functional Proteins: Balance Of Shear Stress And Gravity

The fee has been calculated as shown below:

| CLAIMS AS AMENDED | | | | | |
|---|--|--|-------------------------|-------------|--------------------------|
| FOR (1) | CLAIMS REMAINING AFTER AMENDMENT (2) | HIGHEST NUMBER PREVIOUSLY PAID FOR (3) | PRESENT EXTRA (4) | RATE (5) | ADDITIONAL FEE (6) |
| TOTAL CLAIMS ----- | * 17 | ** 17 | = 0 | x \$18.00 = | \$0.00 |
| INDEPENDENT CLAIMS ----- | * 5 | *** 5 | = 0 | x \$86.00 = | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |

*If the entry in column (2) is less than the entry in column (3), enter "0" in column (4).

**If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter 20 in this space.

***Minimum number here is 3, even though a lesser number appeared in the application as filed.

No additional fee is required.

Please charge our Deposit Account No. 14-0116 shown as "TOTAL ADDITIONAL FEE," above. The Commissioner is hereby authorized to charge an additional fee which may be required to effect the filing of this application under 37 CFR 1.16, or credit any overpayment to Deposit Account No. 14-0116.

June 18, 2004

(Date)

James M. Cate, Esq.

(Attorney of Record) (Reg. No.)

NOTE: This form is to be used when filing an amendment to a patent application.



Response under 37 CFR 1.116
Expedited procedure
Examining Group 1635

MSC 22859-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Thomas J. Goodwin et al. § Art Unit: 1635
Application No.: 09/532,001 § Examiner: K. A. Lacourciere
Filed: March 21, 2000 § Confirmation# 7201
For: **PRODUCTION OF FUNCTIONAL PROTEINS: §**
BALANCE OF SHEAR STRESS AND GRAVITY §

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date
6-18-2004

James M. Cate
James M. Cate

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated March 24, 2004, finally rejecting claims 1-3, 5-10, 27, 28, 31-35, and 37, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.